

Case

Second Amended Complaint

Name

Matthew Ritter3450 A Park ManorWinnemucca Nv 89445

Prison Number

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CLERK US DISTRICT COURT DISTRICT OF NEVADA	

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADAMatt Ritter

Plaintiff,

vs.

1. Elko County & City2. MIKE MARSHOWSKI3. AARON Hughes4. AARON HILDRETH5. TYLER SPLENGS6. NICK Galletti7. Officer Gensel

Defendant(s).

CASE NO. 3:12-CV-194

(To be supplied by the Clerk)

CIVIL RIGHTS COMPLAINT

PURSUANT TO

42 U.S.C. § 1983

A. JURISDICTION

1) This complaint alleges that the civil rights of Plaintiff, Matthew Ritter
(Print Plaintiff's name)

who presently resides at 3450 A Park Manor, were

violated by the actions of the below named individuals which were directed against

Plaintiff at City & County of Elko Nv on the following dates
(institution/city where violation occurred)

March 12th of 2006 through July 2010

4th & 14th amendments fabrication evidence, malicious prosecution and _____
(Count I) (Count II) (Count III)

Make a copy of this page to provide the below information if you are naming more than five (5) defendants

2) Defendant City & County of Elko resides at Elko County,
 (full name of first defendant) (address if first defendant)
 and is employed as Public entity: City is a municipality and County is local government This defendant is sued in his/her
 (defendant's position and title, if any)
☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting

under color of law: The city & county of Elko as a public entity with the local government and the city as a municipality overseeing the Elko police department & Sheriff's office.

3) Defendant Mike Marshowski resides at Elko County,
 (full name of first defendant) (address if first defendant)
 and is employed as Elko Police Officer This defendant is sued in his/her
 (defendant's position and title, if any)

☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting Marshowski violated Matt Ritters 4th & 14th Amendment rights by fabrication of evidence and malicious prosecution by falsely making up fabricated
 under color of law: Circumstantial evidence to obtain probable cause and a criminal conviction against Matt Ritter

4) Defendant Aaron Hughes resides at Lovelock Correctional Center,
 (full name of first defendant) (address if first defendant)
 and is employed as Elko Police Officer This defendant is sued in his/her
 (defendant's position and title, if any)

☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting Aaron Hughes violated Matt Ritters 4th & 14th Amendment rights by fabrication of evidence and malicious prosecution by falsely making up
 under color of law: fabricated evidence to obtain probable cause and a criminal conviction against Matt Ritter.

5) Defendant Aaron Hildreth resides at Elko County,
 (full name of first defendant) (address if first defendant)
 and is employed as Elko Police Officer This defendant is sued in his/her
 (defendant's position and title, if any)

☒ individual ☒ official capacity. (Check one or both). Explain how this defendant was acting Aaron Hildreth violated Matt Ritters 4th & 14th Amendment rights by fabrication of evidence and malicious prosecution by falsely making up
 under color of law: fabricated circumstantial evidence to obtain probable cause and a criminal conviction against Matt Ritter

6 Defendant Tyler Spring resides at Elko County
 and is employed as a Elko Police Officer. This defendant is sued in his ☒ individual ☒ official capacity.

Tyler Spring violated Matt Ritters 4th & 14th Amendment rights by fabrication of evidence and malicious prosecution by falsely making up fabricated circumstantial evidence to obtain probable cause and a criminal conviction against Matt Ritter

7) Defendant Nick Gulletti resides at Elko county,
 (full name of first defendant) (address if first defendant)
 and is employed as Elko Sheriff's office. This defendant is sued in his/her
 (defendant's position and title, if any)

☒ individual ☐ official capacity. (Check one or both). Explain how this defendant was
 acting Nick Gulletti violated Matt Ritters 4th & 14th Amendment Rights by
 fabrication of evidence & malicious prosecution by falsely making up
 under color of law: evidence to obtain probable cause and a criminal
conviction against Matt Ritter

7) Jurisdiction is invoked pursuant to 28 U.S.C. § 1343 (a)(3) and 42 U.S.C. § 1983. If you wish
 to assert jurisdiction under different or additional statutes, list them below.

B. NATURE OF THE CASE

1) Briefly state the background of your case.

I was arrested March 12th 2006 by officer Marshawski for a misdemeanor
warrant. I was searched twice placed in his patrol car and transported to
the Elko county Jail where Marshawski searched his patrol unit. One year
later I was arrested for A Level three drug trafficking for a
packet of Meth under Marshawski's front seat of his patrol unit on
my March 12th 2006 arrest. I was taken to trial where Marshawski
and the rest of the named defendants made a completely false
case and evidence and testified to it too the Jury. I was
found guilty and given a 25 year sentence for something I
did not do. I was Released by Nevada Supreme Court in
2010.

C. CAUSE OF ACTION

Elko county & city for over seeing and running the Elko police department & Sherriff's office.

Second Amended Complaint addition

Elko county & city for overseeing and implementing a policy or standard operating procedure that was a direct result of plaintiff's violations of civil rights. The following defendants did not follow policy resulting in plaintiff's civil rights violations. Their failure to do the SOP or written policy of the county & city.

Mike Marshawski violated Matt Ritters 4th & 14th amendment Rights by fabrication of evidence & malicious prosecution. On March 12th 2006 Marshawski pulled Matt Ritter over for a misdemeanor warrant. He searched Matt Ritter twice transported him to jail, searched the Squad car and wrote a police report on how Matt Ritter cooperated and was searched. Matt Ritter was able to post bail immediately due to his cooperation.

March 13th 2006 officer Marshawski locates a gallon size zip lock bag under the front seat of his patrol car. He then suspects Matt Ritter and then Marshawski writes supplemental false police reports and false events and obtains probable cause for Matt Ritters arrest and testifies to this false evidence and in turn Matt Ritter is found guilty by a jury and sentenced to 25 years in maximum security prison. Plaintiff has overwhelming evidence against defendant in this case

Captain Aaron Hughes of the Elko police department violated Ritters 4th & 14th Amendment rights by fabrication of evidence and malicious prosecution. After Marshowski located the gallon sized zip lock bag of meth in his patrol unit ~~then~~ he the walked it over to Ritters car that was in the same parking lot and tried to put secondary DNA transfer on the bag.

Matt Ritter went to the Elko police department on March 13th to get his impounded car out. Upon entering the Jail Captain Aaron Hughes told Matt Ritter about finding a big bag of drugs in the car and Captain Hughes told Ritter he would make sure his DNA was found on the drugs.

Captain Hughes is currently serving a life sentence at the Lovelock correctional center for felony theft and sexual incest.

Aaron Hildreth violated Matt Ritters 4th & 14th amendment rights by fabrication of evidence & malicious prosecution. On March 13th 2006 after Marshowski had told Captain Hughes and the entire Elko police department about the drugs as well as Hughes telling Matt Ritter when he came to pick up his impounded vehicle that day, Aaron Hildreth along with the other named defendants go out the night of the March 13th 2006 and follow Matt Ritter. Hildreth then falsely makes up circumstantial evidence that Matt Ritter was trying to follow the police car to evidently get these drugs back. Aaron Hildreth goes on to testify to this at plaintiff's jury trial.

Nick Galletti violated Matt Ritters 4th & 14th amendment rights by fabrication of evidence & malicious prosecution. On March 13th 2008 Nick Galletti was serving and conducting a search warrant on plaintiff's 2000 Honda civic in the rear parking lot of the Elko police department. Marshawski walked over to plaintiff's car with this alleged pound of meth and rubbed it on plaintiff's seat and on their gloves in order to obtain plaintiff's DNA on the contraband. Plaintiff was awaiting trial in 2008 at the elko county jail when Nick Galletti beeped in over the intercom system and told plaintiff this. Plaintiff got witness names and a statement from Galletti for official use and in the statement Galletti claims he was just playing around. Galletti told plaintiff that he knew plaintiff was set up but that he only personally played that small role in my case.

Officer Gensel violated Matt Ritters 4th & 14th Amendment rights by fabrication of evidence & malicious prosecution. Officer Gensel another EIKO police officer who was out to obtain probable cause and a conviction against plaintiff made up a weird story.

He wrote false statements and testified to a jury and inferred to this jury that plaintiff was staking out the police department in order to break in and obtain this large quantity of Meth.

Part E

Relief

Plaintiff seeks 250,000 in punitive damages for their blatant disregard for plaintiff's Freedom.

Plaintiff then seeks the \$70,000 he owes his family for his lawyers, \$100,000 for each year of lost wages. Plaintiff has worked at a gold mine for 4 years since his release. \$10,000 for all the money he had to spend in prison, plaintiff has receipts. \$500,000 dollars for over whelming pain and suffering. Plaintiff's father had developed cancer while plaintiff was incarcerated and missed the last years of his life and was not allowed to go to the funeral. Also there were many hardships in prison for plaintiff.

I swear the foregoing information is true and correct.

Matt Ritter

Dated & signed 10th day of Sept
~~of 2015~~ 10th 2015

~~9-10-15~~ 9-10-15
